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FM AMEMBASSY ISLAMABAD
TO RUEHC/SECSTATE WASHDC 2583
INFO RUEATRS/DEPT OF TREASURY WASHDC
RUCPDO/DEPT OF COMMERCE WASHDC
RHEHNSC/NSC WASHINGTON DC
RUMICEA/USCENTCOM INTEL CEN MACDILL AFB FL
RHMFISS/CDR USCENTCOM MACDILL AFB FL
RUEKJCS/SECDEF WASHINGTON DC
RUEHKP/AMCONSUL KARACHI 1575
RUEHLH/AMCONSUL LAHORE 7179
RUEHPW/AMCONSUL PESHAWAR 6116
RUEHNE/AMEMBASSY NEW DELHI 4843
RUEHBUL/AMEMBASSY KABUL 0222
RUEHLO/AMEMBASSY LONDON 0254

UNCLAS ISLAMABAD 000964

SENSITIVE
SIPDIS

E.O. 12958: N/A

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SUBJECT: PAKISTAN: DATA PROTECTION LEGISLATION SLOWLY MOVING
FORWARD

REF: State 42680

¶1. (SBU) EconOffs delivered reftel demarche informing the GOP that Pakistan will remain on the Priority Watch List to Imran Ali Director (U.S.), Ministry of Foreign Affairs, and Syed Bukhari, Director General, Intellectual Property Organization of Pakistan on April 29.

¶2. (SBU) Ali and Bukhari were not surprised that Pakistan will remain on the Priority Watch List. Ali asked what needed to be done for Pakistan's 301 status to change. EconOffs explained that enacting data protection legislation and continuing to strengthen enforcement efforts are the two most important areas. Bukhari was receptive to working on a list of action items.

¶3. (SBU) Separately, the Director General of the Ministry of Health and a pharmaceutical company representative each reported that the foreign and domestic pharmaceutical companies have agreed on a definition of "new chemical entity" for the data protection legislation after two years of intermittent discussions. With this definition agreed to at last, the long-delayed data protection legislation will now return to the Ministry of Law before going to the Cabinet for approval. If approved in the Cabinet, the legislation will go to the National Assembly and then to the Senate. Bukhari said he preferred to enact the data protection legislation as an executive ordinance so that Pakistan would have progress to show at a midterm 301 review. (Note: Ordinances do not require National Assembly approval. End note.)

¶4. (SBU) Comment: Should Bukhari fail in his bid to get the data protection enacted as an ordinance, the approval process through the National Assembly could be protracted. Given that the pharmaceutical lobbies have already weighed in, however, we are hopeful that even the legislation will move relatively quickly. Post will follow up with Bukhari to develop and implement with the GOP a list of IPR action items. End Comment.

FEIERSTEIN